

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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No. 23-1143

September Term, 2022

EPA-88FR20688

Filed On: July 24, 2023 [2009161]

Western States Trucking Association, Inc.  
and Construction Industry Air Quality  
Coalition, Inc.,

Petitioners

v.

Environmental Protection Agency and  
Michael S. Regan, in his official capacity as  
Administrator of the United States  
Environmental Protection Agency,

Respondents

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Center for Biological Diversity, et al.,  
Intervenors

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Consolidated with 23-1144, 23-1145,  
23-1146, 23-1147, 23-1148

**O R D E R**

Upon consideration of the motions for leave to intervene filed by:

East Yard Communities for Environmental Justice, People's Collective for Environmental Justice, Natural Resources Defense Council, Center for Biological Diversity, Environmental Defense Fund, Sierra Club, State of Washington, District of Columbia, State of New Jersey, State of Maine, State of Hawaii, State of Illinois, State of Maryland, State of Colorado, State of New York, State of Connecticut, State of Vermont, State of Rhode Island, State of North Carolina, State of California, State of Minnesota, State of Delaware, State of Oregon, City of New York, Commonwealth of Pennsylvania, Commonwealth of Massachusetts, City of Los Angeles,

it is **ORDERED** that the motions be granted.

Circuit Rules 28(d) and 32(e)(2) govern the filing of briefs by intervenors. A

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schedule for the filing of briefs will be established by future order. That order will automatically provide briefing only for intervenors on the side of respondents. Any intervenor(s) intending to participate in support of petitioners must so notify the court, in writing, within 14 days of the date of this order. Such notification must include a statement of the issues to be raised by the intervenor(s). This notification will allow tailoring of the briefing schedule to provide time for a brief as intervenor on the side of petitioners. Failure to submit notification could result in an intervenor being denied leave to file a brief.

Intervenors supporting the same party are reminded that they **must** file a joint brief or certify to the court why a separate brief is necessary. Intervenors' attention is particularly directed to D.C. Circuit Handbook of Practice and Internal Procedures 39 (2021), which describes "unacceptable" grounds for filing separate briefs. Failure to comply with this order may result in the imposition of sanctions. See D.C. Cir. Rule 39.

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Tatiana A. Magruder  
Deputy Clerk